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HOUSE BILL 667

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

HENRY KIKI SAAVEDRA

AN ACT

RELATING TO LICENSURE; AMENDING THE THANATOPRACTICE ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 61-32-3 NMSA 1978 (being Laws 1993, Chapter 204, Section 3, as amended) is amended to read:

"61-32-3. DEFINITIONS. --As used in the Thanatopractice Act:

A. "assistant funeral service practitioner" means a person licensed to engage in practice at a funeral establishment or a commercial establishment, licensed pursuant to the Thanatopractice Act, as an assistant funeral service practitioner as provided in [~~the Thanatopracticee~~] that act;

B. "associate funeral service practitioner" means a person licensed to engage in practice at a funeral establishment or a commercial establishment, licensed pursuant to the

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[bracketed material] = delete

1 Thanatopractice Act, as an associate funeral service
2 practitioner as provided in [~~the Thanatopractice~~] that act;
3 C. "board" means the board of thanatopractice;
4 D. "cremains" means cremated remains;
5 E. "cremation" means the reduction of a dead human
6 body by direct flame to a residue, which may include bone
7 fragments;
8 F. "crematory" means every place or premises that is
9 devoted to or used for cremation and pulverization of the
10 cremains;
11 G. "crematory authority" means the individual who is
12 ultimately responsible for the operation of a crematory;
13 H. "committal service" means a service at any site
14 that follows a funeral conducted at another location;
15 [~~H.~~] I. "department" means the regulation and
16 licensing department;
17 [~~I.~~] J. "direct disposer" means a person licensed to
18 engage at a direct disposition establishment, licensed pursuant
19 to the Thanatopractice Act, solely in providing direct
20 disposition as provided in [~~the Thanatopractice~~] that act;
21 [~~J.~~] K. "direct disposition" means only the
22 disposition of a dead human body as quickly as possible ~~without~~
23 ~~a funeral, graveside service, committal service or memorial~~
24 ~~service, whether public or private, and] without embalming of~~
25 the body unless embalming is required by the place of

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1 disposition, and does not include, prior to interment,
2 entombment or other final disposition of the body, participation
3 in any rites or ceremonies in connection with the final
4 disposition of the body or provision of facilities for such
5 rites or ceremonies;

6 [K-] L. "direct supervision" means the supervisor is
7 physically present with and in control of the person being
8 supervised;

9 [L-] M. "disposition" means the final disposal of a
10 dead human body, whether it be by earth interment, above-ground
11 interment or entombment, cremation, burial at sea or delivery to
12 a medical school, when the medical school assumes complete
13 responsibility for the disposal of the body following medical
14 study, or release of custody of the body to the family or
15 personal representative or other legal representative;

16 [M-] N. "embalming" means the disinfection,
17 preservation and restoration, when possible, of a dead human
18 body by a licensed funeral service practitioner, a licensed
19 associate funeral service practitioner, a licensed assistant
20 funeral service practitioner or a licensed funeral service
21 intern under the supervision of a licensed funeral service
22 practitioner;

23 [N-] O. "establishment" means every office, premises
24 or place of business where the practice of funeral service or
25 direct disposition is conducted or advertised as being conducted

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1 and includes commercial establishments that provide for the
2 practice of funeral service or direct disposition services
3 exclusively to licensed funeral or direct disposition
4 establishments or a school of medicine;

5 [0.] P. "funeral" means a period following death in
6 which there is an organized, purposeful, time-limited,
7 group-centered ceremony or rite, whether religious or not, with
8 the body of the deceased present;

9 [P.] Q. "funeral merchandise" means that personal
10 property offered for sale in connection with the transportation,
11 funeralization or disposition of a dead human body, including
12 the enclosure into which a dead human body is directly placed,
13 and excluding mausoleum crypts and interment enclosures preset
14 in a cemetery and columbarium niches;

15 [Q.] R. "funeral service intern" means a person
16 licensed ~~[pursuant to the Thanatopractice Act who is]~~ to be in
17 training at a funeral establishment or a commercial
18 establishment, licensed pursuant to the Thanatopractice Act for
19 the practice of funeral service under the supervision and
20 instruction of a funeral service practitioner as provided in
21 that act;

22 [R.] S. "funeral service practitioner" means a
23 person licensed ~~[by the board]~~ to engage in ~~[the]~~ practice ~~[of~~
24 ~~funeral service]~~ at a funeral establishment or commercial
25 establishment, licensed pursuant to the Thanatopractice Act, as

Underscored material = new
[bracketed material] = delete

1 a funeral service practitioner who may provide shelter, care and
2 custody of human dead; prepare human dead by embalming or other
3 methods for disposition; transport human dead, bereaved
4 relatives and friends; make arrangements, financial or
5 otherwise, to provide for a funeral or the sale of funeral
6 merchandise; and perform other funeral directing or embalming
7 practices, as provided in that act;

8 [S-] T. "general supervision" means the supervisor
9 is not necessarily physically present with the person being
10 supervised, but is available for advice and assistance;

11 [F-] U. "graveside service" means a funeral held at
12 the graveside only, excluding a committal service that follows a
13 funeral conducted at another location;

14 [U-] V. "jurisprudence examination" means an
15 examination prescribed [~~and graded~~] by the board on the
16 statutes, rules and regulations pertaining to the practice of
17 funeral service or direct disposition, including the
18 Thanatopractice Act, the rules of the board, state health
19 regulations governing human remains and the Vital Statistics
20 Act;

21 [V-] W. "licensee in charge" means a funeral service
22 practitioner who is ultimately responsible for the conduct of a
23 funeral or commercial establishment and its employees or a
24 direct disposer who is ultimately responsible for the conduct of
25 a direct disposition establishment and its employees;

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1 ~~[W.]~~ X. "make arrangements" means advising or
2 counseling about specific details for a funeral, graveside
3 service, ~~committal~~ service, memorial service, disposition or
4 direct disposition;

5 ~~[X.]~~ Y. "memorial service" means a gathering of
6 persons for recognition of a death without the presence of the
7 body of the deceased;

8 ~~[Y.]~~ Z. "practice of funeral service" means those
9 activities allowed under the Thanatopractice Act by a funeral
10 service practitioner, associate funeral service practitioner,
11 assistant funeral service practitioner or a funeral service
12 intern;

13 ~~[Z.]~~ AA. "pulverization" means the process that
14 reduces cremains to a granular substance; and

15 ~~[AA.]~~ BB. "thanatopractice" means those immediate
16 [~~post-dead~~] post-death activities related to the dead human
17 body, its care and disposition, whether with or without rites or
18 ceremonies, but not including disposition of the body by a
19 school of medicine following medical study. "

20 Section 2. Section 61-32-5 NMSA 1978 (being Laws 1993,
21 Chapter 204, Section 5) is amended to read:

22 "61-32-5. BOARD CREATED. --

23 A. There is created the "board of thanatopractice".

24 B. The board is administratively attached to the
25 department.

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1 C. The board consists of six members. Three members
2 shall be funeral service practitioners who have been licensed in
3 the state for at least five years; two members shall represent
4 the public and shall not have been licensed for the practice of
5 funeral service or direct disposition in this state or any other
6 jurisdiction and shall not ever have had any financial interest,
7 direct or indirect, in any funeral, commercial or direct
8 disposition establishment or crematory; and one member shall be
9 a licensed direct disposer or health care practitioner who has
10 been licensed in the state for at least five years.

11 D. Members of the board shall be appointed by the
12 governor for staggered terms of four years [~~except that members~~
13 ~~of the board appointed and serving under prior law at the~~
14 ~~effective date of the Thanatopractice Act shall serve out the~~
15 ~~terms for which they were appointed as members of the board~~
16 ~~created by this section]. Each member shall hold office until~~
17 his successor is duly qualified and appointed. Vacancies shall
18 be filled for any unexpired term in the same manner as original
19 appointments.

20 E. Members of the board shall be reimbursed as
21 provided in the Per Diem and Mileage Act and shall receive no
22 other compensation, perquisite or allowance.

23 F. A simple majority of the board members currently
24 serving constitutes a quorum.

25 G. The board shall hold at least two regular

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1 meetings each year and shall meet at such other times as it
2 deems necessary.

3 H. No board member shall serve more than two full
4 consecutive terms [~~and any member failing to attend, after~~
5 ~~proper notice, three meetings shall automatically be recommended~~
6 ~~for removal as a board member unless excused for reasons set~~
7 ~~forth in board regulations]. The board shall recommend to the
8 governor removal of any board member who has three unexcused
9 absences from properly noticed meetings within a twelve-month
10 period and may recommend removal of a board member for any other
11 just cause.~~

12 I. The board shall elect a chairman and other
13 officers as deemed necessary to administer its duties. "

14 Section 3. Section 61-32-8 NMSA 1978 (being Laws 1993,
15 Chapter 204, Section 8) is amended to read:

16 "61-32-8. INSPECTION--ACCESS--COUNSEL.--

17 A. Inspection of establishments and crematories,
18 including all records, financial or otherwise, is authorized
19 during regular business hours [~~or through prior arrangement~~].
20 Acceptance of a license shall include permission for the board
21 or its designee to enter the premises without legal process.

22 B. Each establishment or crematory shall provide a
23 physical address at which it maintains business records required
24 by law and at which inspections of those records may occur.

25 [~~B.-~~] C. The board shall be represented by the

Underscored material = new
[bracketed material] = delete

1 attorney general. The board may employ special counsel, whose
2 services shall be paid by the board [~~upon the approval of the~~
3 ~~attorney general~~]. "

4 Section 4. Section 61-32-10 NMSA 1978 (being Laws 1993,
5 Chapter 204, Section 10) is amended to read:

6 "61-32-10. LICENSURE BY CREDENTIALS. -- After successful
7 completion of a jurisprudence examination, the board may license
8 an applicant as a funeral service practitioner, provided the
9 applicant possesses a valid license or its equivalent for the
10 practice of funeral service issued by the appropriate examining
11 board under the laws of any other state or territory of the
12 United States, the District of Columbia or any foreign nation,
13 and provided the applicant has met educational requirements
14 substantially equivalent to or exceeding those established
15 pursuant to the Thanatopractice Act or has [~~at least five~~
16 ~~consecutive years experience~~] actively practiced five out of the
17 last seven years in another state or territory as a licensed
18 funeral service practitioner or its equivalent. "

19 Section 5. Section 61-32-13 NMSA 1978 (being Laws 1993,
20 Chapter 204, Section 13) is amended to read:

21 "61-32-13. ESTABLISHMENTS-- REQUIREMENTS. --

22 A. Each establishment shall have a full-time
23 licensee in charge; provided:

24 (1) the establishment license is a privilege
25 granted to the person to whom it is issued and is not

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[bracketed material] = delete

1 transferable to other owners or operators or to another location
2 than that designated on the license; and

3 (2) the full-time licensee in charge of each
4 establishment shall maintain his primary residence within fifty
5 miles of the physical location of the establishment.

6 B. The board may adopt by rule special requirements
7 for multi-unit establishments that are located within fifty
8 miles of each other and that wish to share a licensee in charge.

9 C. The board may adopt by rule the requirements for
10 reapplication or reinspection. "

11 Section 6. Section 61-32-17 NMSA 1978 (being Laws 1993,
12 Chapter 204, Section 17, as amended) is amended to read:

13 "61-32-17. DIRECT DISPOSER--SCOPE OF PRACTICE--
14 LIMITATIONS.-- Except as otherwise provided in the
15 Thanatopractice Act, a direct disposer may only provide direct
16 disposition of a dead human body as quickly as possible. ~~In~~
17 ~~doing so, the direct disposer shall not conduct, direct or~~
18 ~~provide facilities for a funeral, graveside service, committal~~
19 ~~service or memorial service, whether public or private, and the~~
20 ~~body shall not be embalmed prior to disposition unless embalming~~
21 ~~is required by the place of disposition.] Prior to interment,~~
22 entombment or other final disposition of the body, the direct
23 disposer shall not participate in any rites or ceremonies in
24 connection with the final disposition of the body, and shall not
25 provide facilities for any such rites or ceremonies. The direct

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1 disposer shall not have the body embalmed unless embalming is
2 required by the place of disposition."

3 Section 7. Section 61-32-20 NMSA 1978 (being Laws 1993,
4 Chapter 204, Section 20) is amended to read:

5 "61-32-20. EMBALMING. --

6 A. All dead human bodies not disposed of within
7 twenty-four hours after death shall be embalmed in accordance
8 with the Thanatopractice Act or stored under refrigeration as
9 determined by board rule or regulation, unless otherwise
10 required by regulation of the office of the medical investigator
11 or the secretary of health or by orders of an authorized
12 official of the office of the medical investigator, a court of
13 competent jurisdiction or other authorized official.

14 B. No dead human body shall be embalmed except by a
15 funeral service practitioner, an associate funeral service
16 practitioner or a funeral service intern under the supervision
17 of a funeral service practitioner.

18 C. When embalming is not required under the
19 provisions of this section, no dead human body shall be embalmed
20 without express authorization by the:

- 21 (1) surviving spouse or next of kin;
22 (2) legal agent or personal representative of
23 the deceased; or
24 (3) person assuming responsibility for final
25 disposition.

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[bracketed material] = delete

1 D. When embalming is not required and prior to
2 obtaining authorization for the embalming, a dead human body may
3 be washed and other health procedures, including closing of the
4 orifices, may be performed without authorization.

5 E. When a dead human body is embalmed, the funeral
6 service practitioner or associate funeral service practitioner
7 who embalms the body or the funeral service intern who embalms
8 the body and the funeral service practitioner who supervises the
9 embalming shall complete and sign an embalming case report. The
10 embalming case report shall be kept on file at the establishment
11 for a period of not less than five years following the
12 embalming.

13 F. Except as specified in Subsection A of this
14 section, embalming is not required."

15 Section 8. Section 61-32-21 NMSA 1978 (being Laws 1993,
16 Chapter 204, Section 21) is amended to read:

17 "61-32-21. LICENSE RENEWAL. --

18 A. All licenses expire annually and shall be renewed
19 by submitting a completed renewal application, accompanied by
20 the required fees, on a form provided by the board.

21 B. The board may require proof of continuing
22 education or other proof of competency as a requirement for
23 renewal.

24 C. A license not renewed on or before the expiration
25 date is considered lapsed and is no longer valid. ~~A ninety-~~

Underscored material = new
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1 ~~day]~~ A thirty-day grace period shall be allowed each licensee
2 after the end of the licensing period, during which time
3 licenses may be renewed upon payment of both the renewal fee and
4 a late fee as prescribed by the board and compliance with any
5 other renewal requirements adopted by the board.

6 D. Any license not renewed at the end of the grace
7 period [~~shall be considered~~] is expired. [~~and the license~~
8 ~~holder~~] A holder of an expired license shall be required to
9 apply as a new applicant. "

10 Section 9. Section 61-32-22 NMSA 1978 (being Laws 1993,
11 Chapter 204, Section 22) is amended to read:

12 "61-32-22. [~~FUNERAL SERVICE PRACTITIONER~~] INACTIVE
13 STATUS. --

14 A. A funeral service practitioner, associate funeral
15 service practitioner, assistant funeral service practitioner or
16 direct disposer who has a current license may request that his
17 license be placed on inactive status. Except as provided in
18 Subsection E of this section, the board shall approve each
19 request for inactive status [~~unless the practitioner is under~~
20 ~~investigation or disciplinary proceedings have been initiated~~].

21 B. A license placed on inactive status may be
22 renewed within a period not to exceed five years following the
23 date the board granted the inactive status.

24 C. Renewal of an inactive license requires payment
25 of renewal and reinstatement fees as set forth by board rule or

1 regulation and compliance with the following requirements:

2 (1) certification by the practitioner that he
3 has not engaged in the practice of funeral service in this state
4 during the inactive status;

5 (2) compliance with continuing education
6 requirements established by board rule; and

7 (3) successful completion of an examination,
8 which shall be administered at the discretion of the board, to
9 certify continuing competency.

10 D. Disciplinary proceedings may be initiated or
11 continued against a licensee who has been granted inactive
12 status.

13 E. No license shall be placed on inactive status if
14 the licensee is under investigation or if disciplinary
15 proceedings have been initiated."

16 Section 10. Section 61-32-23 NMSA 1978 (being Laws 1993,
17 Chapter 204, Section 23) is amended to read:

18 "61-32-23. FEES. --The board shall establish by regulation
19 a schedule of reasonable fees for applications, examinations,
20 licenses, inspections, renewals, penalties, reinstatements and
21 necessary administrative fees; provided that no one fee shall
22 exceed five hundred dollars (\$500). All fees collected shall be
23 deposited in [~~the thanatopractice fund~~] accordance with Section
24 61-32-26 NMSA 1978."

25 Section 11. Section 61-32-24 NMSA 1978 (being Laws 1993,

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1 Chapter 204, Section 24, as amended) is amended to read:

2 "61-32-24. DISCIPLINARY PROCEEDINGS-- JUDICIAL REVIEW. --

3 A. The board, in accordance with the provisions of
4 the Uniform Licensing Act, may refuse to issue or renew or may
5 suspend or revoke ~~[or]~~ the license of, impose a fine on or place
6 on probation ~~[any license of]~~ a funeral service practitioner,
7 associate funeral service practitioner, assistant funeral
8 service practitioner, funeral service intern, direct disposer,
9 establishment or crematory upon a finding by the board that the
10 applicant or licensee is guilty of any of the following acts of
11 commission or omission:

12 (1) conviction of an offense punishable by
13 incarceration in a state penitentiary or federal prison,
14 provided the board receives a copy of the record of conviction,
15 certified to by the clerk of the court entering the conviction,
16 which shall be conclusive evidence of the conviction;

17 (2) fraud or deceit in procuring or attempting
18 to procure a license;

19 (3) gross negligence or incompetence;

20 (4) unprofessional or dishonorable conduct,
21 which includes:

22 (a) misrepresentation or fraud;

23 (b) false or misleading advertising;

24 (c) solicitation of dead human bodies by
25 the licensee, his agents, assistants or employees, whether the

1 solicitation occurs after death or while death is impending,
2 provided that this shall not be deemed to prohibit general
3 advertising;

4 (d) solicitation or acceptance by a
5 licensee of any commission, bonus or rebate in consideration of
6 recommending or causing a dead human body to be disposed of in
7 any cemetery, mausoleum or crematory;

8 (e) using any funeral merchandise
9 previously purchased, in whole or in part, except for
10 transportation purposes, without prior written permission of the
11 person selecting or paying for the use of the merchandise; and

12 (f) failing to make disposition of a dead
13 human body in the enclosure or container that was purchased for
14 that purpose by the arrangers;

15 (5) violation of any of the provisions of the
16 Thanatopractice Act or any rule or regulation of the board;

17 (6) violation of any local, state or federal
18 ordinance, law or regulation affecting the practice of funeral
19 service, direct disposition or cremation, including the
20 Prearranged Funeral Plan Regulatory Law or any regulations
21 ordered by the superintendent of insurance;

22 (7) willful or negligent practice beyond the
23 scope of the license issued by the board;

24 (8) refusing to release properly a dead human
25 body to the custody of the person or entity who has the legal

1 right to effect the release, when the authorized cost has been
2 paid;

3 (9) failure to secure a necessary permit
4 required by law for removal from this state or cremation of a
5 dead human body;

6 (10) knowingly making any false statement on a
7 certificate of death;

8 (11) failure to give full cooperation to the
9 board or one of its committees, staff, inspectors, agents or an
10 attorney for the board in the performance of official duties;

11 (12) has had a license, certificate or
12 registration to practice revoked, suspended or denied in any
13 jurisdiction, territory or possession of the United States or
14 another country for actions of the licensee or applicant similar
15 to acts described in this subsection. A certified copy of the
16 record of the jurisdiction taking the disciplinary action is
17 conclusive evidence of the violation;

18 (13) failure to supervise adequately
19 subordinate personnel; or

20 (14) conduct unbecoming a licensee or
21 detrimental to the safety or welfare of the public.

22 B. In addition to the offenses listed in Subsection
23 A of this section, the board, in accordance with the provisions
24 of the Uniform Licensing Act, may refuse to issue or renew or
25 may suspend or revoke the license of, impose a fine on or place

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1 on probation any funeral service practitioner, associate funeral
2 service practitioner, assistant funeral service practitioner or
3 funeral service intern upon finding the applicant or licensee
4 guilty of any of the following acts of commission or omission:

5 (1) practicing funeral service without a
6 license or aiding or abetting an unlicensed person to practice
7 funeral service; or

8 (2) permitting an associate funeral service
9 practitioner, assistant funeral service practitioner or a
10 funeral service intern to exceed the limitations set forth in
11 the provisions of the Thanatopractice Act or the regulations of
12 the board.

13 C. In addition to the offenses listed in Subsection
14 A of this section, the board, in accordance with the provisions
15 of the Uniform Licensing Act, may refuse to issue or renew or
16 may suspend or revoke the license of, impose a fine on or place
17 on probation any direct disposer or direct disposition
18 establishment upon finding the applicant or licensee guilty of
19 any of the following acts of commission or omission:

20 (1) embalming, restoring, acting as a
21 cosmetician or in any way altering the condition of a dead human
22 body, except for washing and dressing;

23 (2) causing a body to be embalmed when
24 embalming is not required by a place of disposition;

25 [~~(3) conducting, directing or providing~~]

1 ~~facilities for any rites or ceremonies in association with the~~
2 ~~dead human body, before or after the direct disposition;]~~

3 (3) prior to interment, entombment or other
4 final disposition of a dead human body, participating in any
5 rites or ceremonies in connection with such final disposition of
6 the body or providing facilities for any such rites or
7 ceremonies;

8 (4) reclaiming, transporting or causing to be
9 transported a dead human body after written release for
10 disposition; or

11 (5) practicing direct disposition without a
12 license or aiding or abetting an unlicensed person to practice
13 direct disposition.

14 D. In addition to the offenses listed in Subsection
15 A of this section, the board, in accordance with the provisions
16 of the Uniform Licensing Act, may refuse to issue or renew or
17 may suspend or revoke the license of, impose a fine on or place
18 on probation a crematory applicant or crematory authority upon
19 finding the applicant or crematory authority guilty of any of
20 the following acts of ~~commission or omission~~:

21 (1) engaging or holding oneself out as engaging
22 in the practice of funeral service or direct disposition, unless
23 the applicant or crematory authority has a license to practice
24 funeral service or direct disposition;

25 (2) operating a crematory without a license or

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1 aiding and abetting a crematory to operate without a license; or
2 (3) engaging in conduct or activities for which
3 a license to engage in the practice of funeral service or direct
4 disposition is required or aiding and abetting an unlicensed
5 person to engage in conduct or activities for which a license to
6 practice funeral service or direct disposition is required.

7 E. Unless exonerated by the board, persons who have
8 been subjected to formal disciplinary sanctions by the board
9 shall be responsible for the payment of costs of the
10 disciplinary proceedings, which include costs for:

- 11 (1) court reporters;
- 12 (2) transcripts;
- 13 (3) certification or notarization;
- 14 (4) photocopies;
- 15 (5) witness attendance and mileage fees;
- 16 (6) postage for mailings required by law;
- 17 (7) expert witnesses; and
- 18 (8) depositions.

19 F. All fees, fines and costs imposed on an
20 applicant, licensee, establishment or crematory shall be paid in
21 full to the board before an initial or renewal license may be
22 issued. "

23 Section 12. Section 61-32-28 NMSA 1978 (being Laws 1993,
24 Chapter 204, Section 28) is amended to read:

25 "61-32-28. COMMUNICATIONS--CONFIDENTIALITY.--All written

1 and oral communications made to the board relating to potential
2 disciplinary action shall be ~~[confidential. All data~~
3 ~~communication and information acquired by the board relating to~~
4 ~~complaints is confidential and shall not be disclosed unless~~
5 ~~formal disciplinary action is initiated under the Uniform~~
6 ~~Licensing Act or absent an order of a court of competent~~
7 ~~jurisdiction]~~ subject to the Inspection of Public Records Act "

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State of New Mexico
House of Representatives

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4 FORTY-THIRD LEGISLATURE
5 FIRST SESSION, 1997
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8 February 27, 1997
9

10 Mr. Speaker:
11

12 Your BUSINESS AND INDUSTRY COMMITTEE, to whom has
13 been referred

14 HOUSE BILL 667
15

16 has had it under consideration and reports same with
17 recommendation that it DO PASS, amended as follows:
18

19 1. On page 2, lines 22 through 24, remove the brackets and
20 line-through.

21
22 2. On page 3, line 1, after "disposition" strike the
23 remainder of the line, strike all of lines 2 through 4 and strike
24 line 5 up to the semicolon.

25 3. On page 9, lines 2 and 3, remove the brackets and line-

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FIRST SESSION, 1997

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through.

4. On page 11, line 2, after the period insert "A funeral service practitioner who works for a direct disposition establishment is limited to performing only direct disposition and shall not engage in the practice of funeral service."

5. On page 11, line 17, before the period insert "at a funeral establishment or commercial establishment".,

and thence referred to the JUDICIARY COMMITTEE.

The roll call vote on Amendment #2 was 7 For 1 Against

Yes: 7

No: Gubbels

Excused: Alwin, Lutz, Olguin, Varela

Absent: Getty

Respectfully submitted,

Fred Luna, Chairman

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 5 For 4 Against

Yes: 5

No: Chavez, Hobbs, Kissner, Rodella

Excused: Alwin, Lutz, Varela

Absent: Getty

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State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 12, 1997

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE BILL 667, as amended

has had it under consideration and reports same with
recommendation that it DO PASS, amended as follows:

1. On page 20, line 25, strike "CONFIDENTIALITY" and insert
in lieu thereof "SUBJECT TO INSPECTION OF PUBLIC RECORDS ACT".

Respectfully submitted,

Thomas P. Foy, Chairman

FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

HJC/HB 667

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

Excused: King, Mallory, Rios, Sanchez, Stewart

Absent: None

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FORTY-THIRD LEGISLATURE
FIRST SESSION, 1997

March 17, 1997

Mr. President:

Your CORPORATIONS & TRANSPORTATION COMMITTEE, to
whom has been referred

HOUSE BILL 667, as amended

has had it under consideration and reports same with
recommendation that it DO PASS.

Respectfully submitted,

Roman M. Maes, III, Chairman

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Adopted _____ Not Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: Fidel, Howes, McKibben, Robinson

Absent: None

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